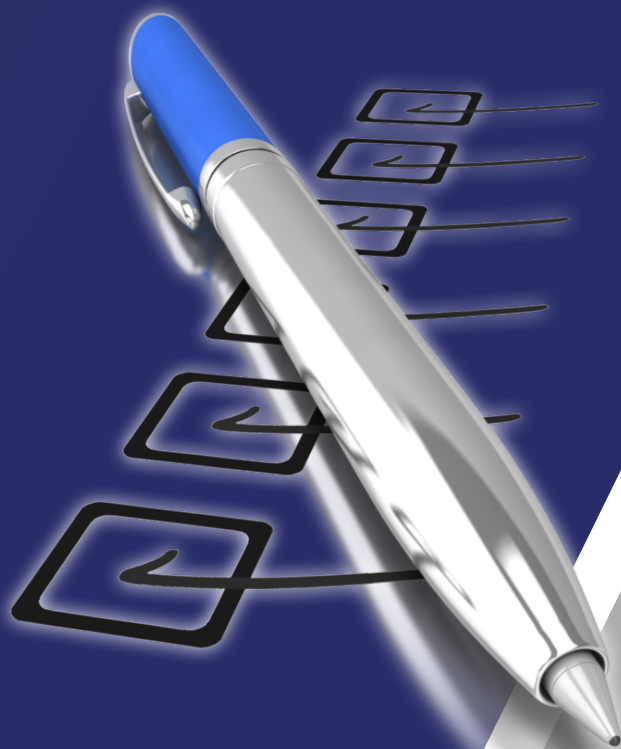


Debt Waiver Guide for the Erroneous Payment of LQA



Notice:

This guide supports filing debt waivers per January 3, 2013 OUSD P&R memo, Subject: "Erroneous Payment of Living Quarters Allowance to Certain Employees," and May 15, 2013 OUSD P&R memo, Subject: "Living Quarters Allowance Audit Conclusion and Results." It is intended to help prepare impacted individuals to file a complete and thorough waiver request; it does not mandate that individuals submit specific content or information. Also, to clarify, waiver request decisions are made by the Defense Office of Hearings and Appeals (DOHA).



Debt Waiver Checklist

[Things to Consider Before Submitting Your Request]



Checklist:

To request a debt waiver, complete and submit page one of the **Waiver/Remission of Indebtedness Application, DD Form 2789** with your supporting documentation, including copies of your:

- **SF-50s, Notification of Personnel Action, for the full time you were overpaid**
(If you do not have all of the needed SF-50s, your current HR Office may be able to provide you with copies; if HR is not able to provide the missing SF-50s, you will need a letter from your HR Office specifying which SF-50s are not available to submit with your waiver request.)
- **Civilian pay records, or Leave and Earnings Statements (LESs), for three pay periods prior to the overpayment through three pay periods after the overpayment ended**
(If you do not have more than the one year of LESs available in myPay, DFAS can provide the missing pay records for you. [Click here](#) to download the "LQA LES Request Letter" template to create a letter, sign it and submit it with your waiver request. Note-by including this letter, DFAS will add your requested pay records to your request/application package. Also, make sure you check "YES" in block 17a on your DD 2789.)
- **Job offer letter/email and/or signed employment contracts**
- **Letter dated on or about May 1, 2013 that you received from your HR Office explaining the cause of the debt**
- **SF-1190s, Foreign Allowances Application, Grant and Report, signed by an official for the entire timeframe for which you were overpaid**

Supporting Documentation:

Be sure to also include any written statements or documentation referring to LQA or your entitlement to LQA. This can include, but is not limited to:

- email messages
- letters (from you or your employer, CSR, etc.)
- written correspondence where you were told you were eligible for or would receive LQA
- copies of any documentation you refer to in your waiver application and or DD 2789

*If you are unable to provide supporting documentation, be sure to include specifics on who, what, where, when and why for any LQA-related verbal conversations. Also, be sure to **SIGN** each piece of supporting documentation and submit it as a part of your waiver request.*

Important Reminder:

If you choose to request a debt waiver, do not include arguments about the validity or amount of the debt in your waiver application, as the waiver may be denied on this basis. If you intend to contest the debt by filing a request for a hearing, you should not file a waiver at this time. Once you've received a decision on your hearing, you may choose to file a waiver. Please keep in mind, to request a waiver you must submit your application within three years.

Tips for Filling Out Your DD 2789 - [Waiver/Remission of Indebtedness Application]



Disclaimer:

By completing and signing the DD 2789, you are acknowledging that you do not intend to dispute the validity or amount of the debt. This is not admission or an agreement that you should be responsible for the repayment of the debt.

Please ensure you complete all of page 1 on the DD 2789. An incomplete form (i.e., skipping fields or a missing signature or date) will delay the time it takes for DFAS to process your waiver request.

DD 2789 Tips:

You only need to complete **PAGE 1** of the DD 2789. You can download the DD 2789 and use the tips provided below and on page 4 to help you complete this form.

WAIVER/REMISSION OF INDEBTEDNESS APPLICATION (If more space is needed, continue on separate sheet(s). Identify each item by number.)		OMB No. 0730-0009 OMB approval expires Nov 30, 2008	
<small>The public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 1155 Defense Pentagon, Washington, DC 20301-1155 (0730-0009). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.</small>			
PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. SEPARATED MILITARY OR FORMER CIVILIAN EMPLOYEES, RETURN COMPLETED FORM TO: DFAS-IN, DEPT. 3300 (WAIVER/REMISSION), 8899 EAST 56TH STREET, INDIANAPOLIS, IN 46249-3300.			
ACTIVE DUTY MILITARY, GUARD/RESERVE, RETIRED OR ANNUITANT PAY RECIPIENTS, CIVILIAN EMPLOYEES, RETURN COMPLETED FORM TO THE ADDRESS LISTED ON THE DEBT NOTIFICATION LETTER FOR COMPLETION OF BACK SIDE.			
PRIVACY ACT STATEMENT AUTHORITY: E.O. 9397 (SSN). PRINCIPAL PURPOSE: To be used by civilian employees (current, former, or retired) and military members (active, separated, or retired), and annuitants to request waiver of indebtedness collection for erroneous payments of salary or pay and allowances, and expense reimbursement or allowances for travel, transportation, and relocation; or in the case of enlisted members, remission of these debts. ROUTINE USE(S): In addition to those disclosures generally permitted under 5 U.S.C. Section 552a of the PA, this information may be disclosed to the Department of Justice or to commercial credit agencies, whenever a financial status report is requested by the Department of Defense (DoD) for use in administering the Federal Claims Collection Act. It may also be disclosed for any of the blanket routine uses as published in the Federal Register at the beginning of the DFAS compilation of PA system notices. DISCLOSURE: Disclosure is voluntary; however, failure to disclose the requested data, including your Social Security Number, may prevent consideration of the claim.			
1. TYPE OF CLAIM (X one)		<input type="checkbox"/> WAIVER	<input type="checkbox"/> REMISSION
1. Select "WAIVER" as your type of claim. <small>Authority: 5 U.S.C. 5584; 10 U.S.C. 2774; National Guard - 32 U.S.C. 716; Civilian - 5 U.S.C. 5584; 10 U.S.C. 4837; Navy - 10 U.S.C. 6161; Air Force - 10 U.S.C. 9837. Note: Remission generally is applicable for active duty enlisted personnel only; see DoDFMR, Volume 7A.</small>			
SECTION I - CIVILIAN/MILITARY/RETIREE/ANNUITANT INFORMATION			
2. NAME (Last, First, Middle Initial)		3. RANK/GRADE	4. SOCIAL SECURITY NUMBER
2. Name		3. Grade	4. SSN
5. AGENCY/SERVICE		6. STATUS (X applicable block and provide date (YYYYMMDD) for end of enlistment period (EOE),	
5. If you work for a defense agency, check "Other" and specify the agency.		6. Check the "DOD Civilian" box and enter your Service Computation Date (SCD), which can be found on your SF-50.	
<input type="checkbox"/> <small>ARMY</small> <input type="checkbox"/> <small>NAVY</small> <input type="checkbox"/> <small>AIR FORCE</small> <input type="checkbox"/> <small>GUARD/RESERVE</small> <input type="checkbox"/> <small>RETIRED</small> <input type="checkbox"/> <small>MARINE CORPS</small>		<input type="checkbox"/> <small>EOE</small> <input type="checkbox"/> <small>DOR</small>	<input type="checkbox"/> <small>AS APPROPRIATE</small> <input type="checkbox"/> <small>DOD CIVILIAN</small> <input type="checkbox"/> <small>ANNUITANT</small>
7. CURRENT COMPLETE MAILING ADDRESS (Street, City, State, ZIP Code)		8. PLACE OF ASSIGNMENT OR EMPLOYMENT	9. TELEPHONE (Include DSN or area code)
7. Also, make sure your address is up-to-date by contacting your Customer Service Representative or HR Office.		8. List your employing agency (e.g., DISA, DLA, etc.).	9. Provide your most current contact information.

Tips for Filling Out Your DD 2789 - [Waiver/Remission of Indebtedness Application]



DD 2789 Tips Continued:

Sections 10-16: If you need additional space in boxes 10-16, you can attach a typed memo with your signature.

10. TYPE OF DEBT OR PAY AND ALLOWANCE ERRONEOUSLY PAID		11. GROSS DEBT AMOUNT	
10. For this field, type in "Living Quarters Allowance-LQA"		11. Get from debt letter	
12. STATE THE DATE AND HOW YOU FIRST BECAME AWARE OF DEBT OR ERRONEOUS PAYMENT. (Attach notification, if available.)			
12. List and attach both the notification from your HR Office and the debt letter from DFAS.			
13. IF YOU WERE AWARE OF DEBT OR ERRONEOUS PAYMENT, EXPLAIN THE ACTIONS YOU TOOK TO CORRECT SITUATION.			
13. State when you became aware that you were receiving erroneous LQA payments.			
14. REASON FOR REQUESTING WAIVER/REMISSION AND WHY YOU FEEL IT SHOULD BE APPROVED (Financial hardship applies ONLY to REMISSION and if claimed, a financial statement must be attached.)			
14. Explain why you believe that your waiver request should be approved. This may include information that you were given regarding entitlement to LQA and when you were notified that you are not entitled to LQA. You should also include any supporting documentation or descriptions of conversations you had (including who you spoke with). Make sure you sign each piece of documentation and submit with page 1 of this form.			
15. FOR ANNUITANTS, PROVIDE NAME, SSN AND DATE DECEASED OF MILITARY MEMBER/SPONSOR.			
15. N/A			
16. ATTACH COPIES OF ALL PERTINENT DOCUMENTS (Such as Request for BAH, Statement of Service, Separation Worksheet, DD Form 214, Travel Voucher, Notification of Personnel Action). (If not available, please explain.)			
16. Reminder to attach any of the documentation necessary to support fields 12-14.			
17.a. IF MILITARY OR CIVILIAN, DID YOU RECEIVE LEAVE AND EARNINGS STATEMENT(S)?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
17.a. For Block 17a, check YES that you did receive your LESs if you would like DFAS to be able to provide any of your pay records/LESs (for up to 10 years) that you do not have in your waiver request. In Block 17b, indicate if you have requested LESs from myPay. Blocks 17c and 17d are N/A.			
18. N/A YOU FILED FOR A CORRECTION OF MILITARY RECORDS?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
19. I certify the above statements are true and correct to the best of my knowledge. The information presented may be referred to the appropriate investigating office for verification. I understand the penalty for a false claim is a maximum fine of \$10,000 or a maximum imprisonment of 5 years, or both.			
a. SIGNATURE	b. JOB TITLE/CAREER FIELD	c. DATE SIGNED	
19a. Your signature certifies that your statements on this form are true and correct to the best of your knowledge.	19b. Add your career field (e.g., Financial Analyst, Accountant, etc.).	19c. Date you completed and signed this form.	

QUICK CHECK:

Make sure you did not skip any fields. Boxes 1-14, 16-17b and 19a-19c should all be completed. An unsigned or undated form is considered invalid, cannot be processed and will be returned.

Next Steps

[Debt Waiver Process and Points of Contact]



Submission:

Once you have completed and signed your DD 2789 and gathered all of your supporting documentation, the next step is to download a copy of the "[Waiver Request Cover Sheet](#)." The final step is to send your **compiled waiver application/request package with the cover sheet** to DFAS.



Mail: DFAS Civilian Pay
Attn: Dept. 6200
8899 E. 56th St.
Indianapolis, IN 46249



Fax: DSN: 510-366-0354
Toll-Free: 866-401-5849
Local: 317-275-0354

Please note:

*You are strongly encouraged to request a debt waiver as soon as possible. During the next **six months**, DFAS will be making extra efforts to expedite impacted employees' waiver requests.*

Debt Waiver Process:

- **STEP 1 - DFAS Civilian Pay:** [Process takes roughly 15 business days to complete.]
DFAS Civilian Pay will review your waiver request and provide missing pay records (LESSs) if necessary and requested. Next, Civilian Pay will forward your waiver request to the DFAS Waivers and Remissions team. You will receive notification via mail or email at this point.
- **STEP 2 - DFAS Waivers and Remissions:** [Process takes roughly 15 business days to complete.]
The Waivers and Remissions team will ensure your request is complete and will send recommendations to the Defense Office of Hearings and Appeals (DOHA) for a final decision. If your request is missing information, DFAS will contact you by email and or mail.
- **STEP 3 - DOHA:** [Process could take up to 5 months to complete.]
DOHA will review your waiver request and make a final determination on if your debt will be waived in full, waived partially or waived at all. If your debt is waived in full, you will be notified via mail by DFAS. If your debt is only partially waived or if your debt is not waived, you will be notified via mail by DOHA, along with your rights to appeal DOHA's determination.



*For questions throughout the debt waiver process call:
DSN: 312-699-0580 or 800-538-9043.*